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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 ELLIOT EUGENE  
10 ROLLINGS-PLEASANT,

11 Plaintiff,

No. CIV S-03-0228 MCE PAN P

12 vs.

13 DEUEL VOCATIONAL  
14 INSTITUTION, et al.,

15 Defendants.

ORDER

16 Plaintiff, a prisoner without counsel, moves to modify the February 21, 2006,  
17 scheduling order to extend the time for discovery.

18 A schedule may be modified only upon a showing of good cause. Fed. R. Civ. P.  
19 16(b). Good cause exists when the moving party demonstrates he cannot meet the deadline  
20 despite exercising due diligence. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th  
21 Cir. 1992). Pursuant to the schedule, discovery closed June 16, 2006. Plaintiff asserts he could  
22 not timely complete discovery because he is confined in the security housing unit, he proceeds  
23 without counsel and he received defendants' responses to requests for admission on May 31,  
24 2006. He asserts a need to serve interrogatories on defendants but he does not explain what  
25 interrogatories he could propound based on the May 31, 2006, responses that he could not have  
26 made before receiving the responses.

1 Plaintiff fails to demonstrate he was unable to meet the deadline despite due  
2 diligence.

3 Accordingly, IT IS HEREBY ORDERED plaintiff's June 15, 2006, motion to  
4 amend the schedule is denied.

5 DATED: August 17, 2006.

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8 UNITED STATES MAGISTRATE JUDGE

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